



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 117th CONGRESS, FIRST SESSION

Vol. 167

WASHINGTON, MONDAY, FEBRUARY 22, 2021

No. 33

House of Representatives

The House met at 11:30 a.m. and was called to order by the Speaker.

PRAYER

The Chaplain, Reverend Margaret Grun Kibben, offered the following prayer:

In honor of the birthday of our first President, George Washington, I offer his own words as our prayer:

Almighty God, we make our earnest prayer that Thou wilt keep the United States in Thy holy protection; that Thou wilt incline the hearts of the citizens to cultivate a spirit of subordination and obedience to government; and entertain a brotherly affection and love for one another and for their fellow citizens of the United States at large.

And finally, that Thou wilt most graciously be pleased to dispose us all to do justice, to love mercy, and to demean ourselves with that charity, humility, and pacific temper of mind which were the characteristics of the Divine Author of our blessed religion, and without a humble imitation of whose example in these things we can never hope to be a happy Nation.

Grant our supplication, we beseech Thee.

Amen.

THE JOURNAL

The SPEAKER. Pursuant to section 5(a)(1)(A) of House Resolution 8, the Journal of the last day's proceedings is approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF MEMBERS TO SELECT COMMITTEE ON THE CLIMATE CRISIS

The SPEAKER. The Chair announces her appointment, pursuant to section 4(d) of House Resolution 8, 117th Congress, and the order of the House of January 4, 2021, of the following Members to the Select Committee on the Climate Crisis:

Ms. CASTOR, Florida, Chair
Ms. BONAMICI, Oregon
Ms. BROWNLEY, California
Mr. HUFFMAN, California
Mr. McEACHIN, Virginia
Mr. LEVIN, California
Mr. CASTEN, Illinois
Mr. NEGUSE, Colorado
Ms. ESCOBAR, Texas
Mr. GRAVES, Louisiana

APPOINTMENT OF MEMBERS TO SELECT COMMITTEE ON THE MODERNIZATION OF CONGRESS

The SPEAKER. The Chair announces her appointment, pursuant to section 4(e) of House Resolution 8, 117th Congress, and the order of the House of January 4, 2021, of the following Members to the Select Committee on the Modernization of Congress:

Mr. KILMER, Washington, Chair
Ms. LOFGREN, California
Mr. CLEAVER, Missouri
Mr. PERLMUTTER, Colorado
Mr. PHILLIPS, Minnesota
Ms. WILLIAMS, Georgia
Mr. TIMMONS, South Carolina
Mr. RODNEY DAVIS, Illinois
Mr. LATTA, Ohio
Mr. RESCIENTHALER, Pennsylvania
Ms. VAN DUYN, Texas

APPOINTMENT OF MEMBERS TO SELECT SUBCOMMITTEE ON THE CORONAVIRUS CRISIS

The SPEAKER. The Chair announces her appointment, pursuant to section

4(f) of House Resolution 8, 117th Congress, and the order of the House of January 4, 2021, of the following Members to the Select Subcommittee on the Coronavirus Crisis:

Mr. CLYBURN, South Carolina, Chair
Ms. WATERS, California
Mrs. CAROLYN B. MALONEY, New York
Ms. VELAZQUEZ, New York
Mr. FOSTER, Illinois
Mr. RASKIN, Maryland
Mr. KRISHNAMOORTHY, Illinois
Mr. SCALISE, Louisiana
Mr. JORDAN, Ohio
Mr. GREEN, Tennessee
Ms. MALLIOTAKIS, New York

APPOINTMENT OF INDIVIDUALS TO GOVERNING BOARD OF OFFICE OF CONGRESSIONAL ETHICS

The SPEAKER. The Chair announces her appointment, pursuant to section 4(c) of House Resolution 8, 117th Congress, and the order of the House of January 4, 2021, of the following individuals to serve as the Governing Board of the Office of Congressional Ethics:

Nominated by the Speaker after consultation with the minority leader:

Mr. David Skaggs, Colorado, Chair
Brigadier General (retired) Belinda Pinckney, Virginia
Ms. Karan English, Arizona
Mr. Mike Barnes, Maryland, alternate

Nominated by the minority leader after consultation with the Speaker:

Mr. Paul D. Vinovich, District of Columbia, Co-Chair
Mr. Leon Acton Westmoreland, Georgia
Ms. Karen L. Haas, Maryland
Mr. Robert Hurt, Virginia, alternate

MOMENT OF SILENCE IN REMEMBRANCE OF 500,000 AMERICANS LOST TO THE COVID-19 VIRUS

The SPEAKER. The Chair asks all Members in the Chamber, as well as

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H541

Members and staff throughout the Capitol, to rise for a moment of silence in remembrance of more than 500,000 Americans who passed away from the COVID-19 virus.

PUBLICATION OF COMMITTEE RULES

RULES OF THE COMMITTEE ON ENERGY AND
COMMERCE FOR THE 117TH CONGRESS

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, February 22, 2021.

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to Rule XI, Clause 2(a) of the Rules of the House of Representatives, I respectfully submit the rules of the 117th Congress for the Committee on Energy and Commerce for publication in the Congressional Record. The Committee adopted these rules by a voice vote, a quorum being present, at our organizational meeting on Thursday, January 28, 2021.

Sincerely,

FRANK PALLONE, JR.,
Chairman,
Committee on Energy and Commerce.
(Adopted January 28, 2021)

RULE 1. GENERAL PROVISIONS

(a) *Rules of the Committee.* The Rules of the House are the rules of the Committee on Energy and Commerce (the "Committee") and its subcommittees so far as is applicable.

(b) *Rules of the Subcommittees.* Each subcommittee of the Committee is part of the Committee and is subject to the authority and direction of the Committee and to its rules so far as is applicable. Written rules adopted by the Committee, not inconsistent with the Rules of the House, shall be binding on each subcommittee of the Committee.

RULE 2. BUSINESS MEETINGS/MARKUPS

(a) *Regular Meeting Days.* The Committee shall meet on the fourth Tuesday of each month at 10 a.m., for the consideration of bills, resolutions, and other business, if the House is in session on that day. If the House is not in session on that day and the Committee has not met during such month, the Committee shall meet at the earliest practicable opportunity when the House is again in session. The chair of the Committee may, at his or her discretion, cancel, delay, or defer any meeting required under this section, after consultation with the ranking minority member.

(b) *Additional Meetings.* The chair may call and convene, as he or she considers necessary, additional meetings of the Committee for the consideration of any bill or resolution pending before the Committee or for the conduct of other Committee business. The Committee shall meet for such purposes pursuant to that call of the chair.

(c) *Notice.* The date, time, place, and subject matter of any meeting of the Committee (other than a hearing) shall be announced at least 36 hours (exclusive of Saturdays, Sundays, and legal holidays except when the House is in session on such days) in advance of the commencement of such meeting. In no event shall such meeting commence earlier than the third calendar day (excluding Saturdays, Sundays, or legal holidays except when the House is in session on such a day) on which members have notice thereof.

(d) *Agenda.* The agenda for each Committee meeting, setting out all items of business to be considered, shall be provided to each member of the Committee at least 36 hours in advance of such meeting.

(e) *Availability of Texts.* No bill, recommendation, or other matter shall be con-

sidered by the Committee unless the text of the matter, together with an explanation, has been available to members of the Committee for three days (or 24 hours in the case of a substitute for introduced legislation). Such explanation shall include a summary of the major provisions of the legislation, an explanation of the relationship of the matter to present law, and a summary of the need for the legislation.

(f) *Waiver.* The requirements of subsections (c), (d), and (e) may be waived by a majority of those present and voting (a majority being present) of the Committee or by the chair with the concurrence of the ranking member, as the case may be.

RULE 3. HEARINGS

(a) *Notice.* The date, time, place, and subject matter of any hearing of the Committee shall be announced at least one week in advance of the commencement of such hearing, unless a determination is made in accordance with clause 2(g)(3) of Rule XI of the Rules of the House that there is good cause to begin the hearing sooner.

(b) *Memorandum.* Each member of the Committee shall be provided, except in the case of unusual circumstances, with a memorandum at least 48 hours before each hearing explaining (1) the purpose of the hearing and (2) the names of any witnesses.

(c) *Witnesses.* (1) Each witness who is to appear before the Committee shall file with the clerk of the Committee, at least two working days in advance of his or her appearance, sufficient copies, as determined by the chair of the Committee of a written statement of his or her proposed testimony to provide to members and staff of the Committee, the news media, and the general public. Each witness shall, to the greatest extent practicable, also provide a copy of such written testimony in an electronic format prescribed by the chair. Each witness shall limit his or her oral presentation to a brief summary of the argument. The chair of the Committee or the presiding member may waive the requirements of this paragraph or any part thereof.

(2) To the greatest extent practicable, the written testimony of each witness appearing in a nongovernmental capacity shall include a curriculum vitae and a disclosure of any Federal grants or contracts or foreign government contracts and payments related to the subject matter of the hearing received during the current calendar year or either of the two preceding calendar years by the witness or by an entity represented by the witness. The disclosure shall include (i) the amount and source of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) related to the subject matter of the hearing; and (ii) the amount and country of origin of any payment or contract related to the subject matter of the hearing originating with a foreign government.

(d) *Questioning.* (1) The right to question the witnesses before the Committee shall alternate between majority and minority members. Each member shall be limited to 5 minutes for the questioning of witnesses until such time as each member who so desires has had an opportunity to question witnesses. No member shall be recognized for a second period of 5 minutes to question a witness until each member of the Committee present has been recognized once for that purpose. The chair shall recognize in order of appearance members who were not present when the meeting was called to order after all members who were present when the meeting was called to order have been recognized in the order of seniority on the Committee or relevant subcommittee, as the case may be.

(2) The chair, with the concurrence of the ranking minority member, or the Committee

by motion, may permit an equal number of majority and minority members to question a witness for a specified, total period that is equal for each side and not longer than 30 minutes for each side. The chair, with the concurrence of the ranking minority member, or the Committee by motion, may also permit committee staff of the majority and minority to question a witness for a specified, total period that is equal for each side and not longer than 30 minutes for each side.

(3) Each member may submit to the chair of the Committee additional questions for the record, to be answered by the witnesses who have appeared. Each member shall provide a copy of the questions in an electronic format to the clerk of the Committee no later than 10 business days following a hearing. The chair shall transmit all questions received from members of the Committee to the appropriate witnesses and include the transmittal letter and the responses from the witnesses in the hearing record. After consultation with the ranking minority member, the chair is authorized to close the hearing record no earlier than 120 days from the date the questions were transmitted to the appropriate witnesses.

RULE 4. VICE CHAIR; PRESIDING MEMBER

The chair shall designate a member of the majority party to serve as vice chair of the Committee, and shall designate a majority member of each subcommittee to serve as vice chair of each subcommittee. The vice chair of the Committee or subcommittee, as the case may be, shall preside at any meeting or hearing during the temporary absence of the chair. If the chair and vice chair of the Committee or subcommittee are not present at any meeting or hearing, the most senior ranking member of the majority party who is present shall preside at the meeting or hearing.

RULE 5. OPEN PROCEEDINGS

Except as provided by the Rules of the House, each meeting and hearing of the Committee for the transaction of business, including the markup of legislation, and each hearing, shall be open to the public, including to radio, television, and still photography coverage, consistent with the provisions of Rule XI of the Rules of the House.

RULE 6. QUORUM

Testimony may be taken and evidence received at any hearing at which there are present not fewer than two members of the Committee or subcommittee in question. A majority of the members of the Committee or subcommittee shall constitute a quorum for those actions for which the House Rules require a majority quorum. For the purposes of taking any other action, one-third of the members of the Committee shall constitute a quorum.

RULE 7. OFFICIAL COMMITTEE RECORDS

(a)(1) Documents reflecting the proceedings of the Committee shall be made publicly available in electronic form on the Committee's website and in the Committee office for inspection by the public, as provided in Rule XI, clause 2(e) of the Rules of the House not more than 24 hours after each meeting has adjourned, including a record showing those present at each meeting; and a record of the vote on any question on which a record vote is demanded, including a description of the amendment, motion, order, or other proposition, the name of each member voting for and each member voting against such amendment, motion, order, or proposition, and the names of those members of the committee present but not voting.

(2) *Record Votes.* A record vote may be demanded by one-fifth of the members present or, in the apparent absence of a quorum, by any one member. No demand for a record